

REMARKS

This is in response to the first Office Action of July 31, 2003 (Paper No. 10). With this Amendment, the non-elected claims 3-24, 27, and 30-35 have been canceled without prejudice or disclaimer reserving the right to have the claims reentered in the event generic claims are allowed. Claims 1, 2, 25, and 26 have been amended and new claims 36-42 have been added. Thus, claims 1, 2, 25, 26, 28, 29 and 36-42 are in the application for further examination. Claims 1, 25, 37 and 39 are in independent form. A check including the amount of \$43.00 is filed herewith including the amount of one additional independent claim.

Filed separately herewith is a Petition for Extension of Time along with a Credit Card Payment Form including the amount of \$55.00. If the amount is in error, the Patent and Trademark Office is authorized to debit or credit, as appropriate, the undersigned attorney's Deposit Account No. 06-1358.

Attached hereto is a copy of U.S. Patent No. 4, 900,888, along with Form PTO-1449. This reference was cited by a foreign Patent Office against originally filed claims in a corresponding foreign patent application. The reference should be considered by the Examiner in the next Office Action.

In the first Office Action, the claims were rejected under 35 USC §112, first paragraph as failing to comply with the written description requirement. Although the claims have now been amended to avoid the Examiner's rejection, by deleting the "workpiece" limitation, nevertheless it is respectfully submitted that the Examiner is incorrect. At page 12, lines 18-20, of the specification, it clearly states that a workpiece holder can be used instead of the machine chuck and a workpiece

can be connected to the workpiece holder instead of the machine table, with respect to the embodiments of Figures 16-18.

Claim 2 is also rejected under 35 USC §112, second paragraph as being indefinite. The amendments to claims 1 and 2 clearly obviate this rejection.

In the first Office Action, the Examiner rejected claims 1, 2, 25 and 26, as anticipated by Lee, Jr., U.S. Patent No. 4,530,507 and the same claims, with the inclusion of claim 28, as anticipated by Kowalski U.S. Patent No. 4,309,849. Reconsideration is respectfully requested.

The present invention relates to a holder for positioning a workpiece in the working area of a machine tool. The holder could include a machine chuck for holding a workpiece or workpiece holder. The holder or machine chuck includes attachment elements for attaching the holder or chuck to a fixed carrier such as a machine table and includes holding elements for holding the workpiece or the workpiece holder. As set forth in independent claim 1 at least one of the holder and the carrier structure includes a vibration damper. As set forth in claim 25 at least one of the holder and support structure includes a vibration damper. With respect to newly added claims 37 and 39, the machine chuck is recited to include a vibration damper. Although the preferred embodiments depicted in, for example Figs. 17 and 18, show the vibration damper lying between the machine chuck and a table, the present claims are intended to also encompass embodiments where the machine chuck is of two parts and the damping foil lies between the two parts.

Independent claim 39 recites the vibration damper to be in the form of a planar insulating foil of vibration absorbing material that faces a planar surface within said machine chuck. Dependent claim 40 recites the vibration damper of sufficiently high damping properties to damp vibrations

imposed on the chuck. Dependent claims 41 and 42 recite the vibration absorbing material as rubber or a rubbery-like material (claim 41) and where the thickness of the insulating foil is substantially less than any dimension of the planar surface of the insulating foil (claim 42). Thus, vibrations imposed on the machine chuck, either directly or indirectly through vibration forces acting on a workpiece or workpiece holder are absorbed.

These features clearly distinguish the present invention from the prior art. With respect to the Lee, Jr. patent, the rollers 50 act directly to hold the workpiece 16. In the present invention, the vibration dampers are not in contact with the workpiece directly. Indeed, in the environment of the present invention, the available space is restricted such as when the workpiece is being cut by a wire of an electroerosion machine. The present invention dampens the vibrations exerted by the high pressure cleaning fluid acting on the workpiece in the area of cutting. It is not seen how the Lee rollers could be used in such an environment. In any event, the Lee patent does not disclose a vibration damper in the form of a foil or mat or anything like a planar insulating foil as claimed, for example, in new claims 39-42.

Similarly, the Kowalski patent discloses resilient members acting as vibration dampers but arranged between the workpiece and workpiece holder to clamp the workpiece. Such an arrangement could not be used in the environment of the present invention. In any event, Kowalski does not disclose the insulating foil embodiments such as claimed in claims 39-42.

The Examiner has also rejected claim 1 as anticipated by Nogami et al. Japanese Patent No. 8-117,968. Nogami discloses a robot holding a workpiece by an arm which is subdivided into two frames. Damping elements 22 are inserted between these frames. The robot is thus shielded against

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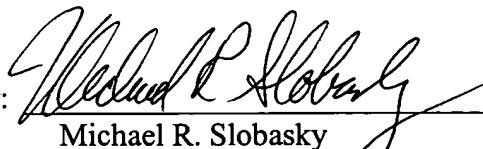
vibrations exerted by a hammer 15 operating on the workpiece for removing sand from the casting. The vibrations exerted by a hammer on the workpiece have normally low frequencies so that thick rubber dampers are necessary. The vibration frequencies of Nogami are basically different than the frequencies of vibrations to which a workpiece in a machine tool is exposed. In any event, Nogami does not disclose anything like the use of a vibration damper formed from a planar insulating foil such as is claimed in, for example, claims 39-42.

Finally, the Examiner rejects claim 29 as unpatentable over Kowalski in view of the United Kingdom Patent No. 1,051,548. This reference was cited to show a damping material in a recess. Reconsideration is respectfully requested. As discussed above, Kowalski is different from the present invention. Even if combined, the combination would not render the present invention unpatentable. The damping pads 22 are sufficiently different in structure then the features as now claimed particularly in the newly added claims 39-42.

Thus, this application is now in condition for allowance. Should the Examiner have any questions after reviewing this Amendment the Examiner is cordially invited to telephone the undersigned attorney.

Respectfully submitted,

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